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June 21, 2005

U.S. DISTRICT COURT

JUN 22 2005

RECEIVED

Hon. Nathaniel M. Gorton  
United States District Court  
1 Courthouse Way  
Boston, MA 02210

**Re: United States v. DiFlumera, 04-40002 (NMG)**

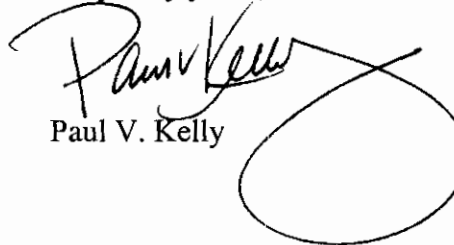
Dear Judge Gorton:

At the May 24, 2005 status conference, counsel discussed with the Court the need to explore the possibility of a conflict of interest with the Court presiding over Mr. DiFlumera's case.

The possibility of a conflict of interest arose here given Mr. DiFlumera's past association with the United Food and Commercial Worker's Union (UFCW) and your Honor's possible family connection with one or more businesses that Mr. DiFlumera may have come into contact with in his various positions with the UFCW. At the status conference, the Court explained to counsel that the significant distinction was between Gorton's of Gloucester (with which contact would not impose a conflict) and Gorton's of Boston (with which contact may impose a conflict). After carefully looking into the matter, there does not appear to be a conflict of interest at this time.

Thank you for the Court's assistance in this matter.

Very truly yours,

  
Paul V. Kelly

cc: AUSA Laura Kaplan